

**IN THE CLAIMS:**

Amend the claims as follows.

Cancel claims 1-12, without prejudice.

Add the following claims.

sub C' --13. A method of treating a non-neuronal cancer in a mammal, which method comprises the steps of: administering to the mammal an effective amount of a mutant herpes simplex virus which has been modified in the  $\gamma 34.5$  gene such that the gene is non-functional; and achieving infection and replication of the virus and lysis of a non-neuronal tumor cell in the mammal by the virus, thereby treating the non-neuronal cancer.

B' 14. A method according to claim 13, where in the mammal is a human.

15. A method according to claim 13 or claim 14 wherein the cancer is a primary tumor.

16. A method according to claim 13 or claim 14 where the cancer is a metastatic tumor.

17. A method according to claim 13 or claim 14 wherein the cancer is a mesothelioma, ovarian carcinoma, bladder cancer or melanoma.

18. A method according to claim 13 wherein the mutant herpes simplex virus is a type 1 herpes simplex virus.